

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KIM MARIE DIESEL, *individually and
on behalf of all others similarly situated,*)
Plaintiff,)
vs.) Case No. 4:22-cv-00892-MTS
THE PROCTER & GAMBLE COMPANY,)
et al.,)
Defendants.)

MEMORANDUM AND ORDER

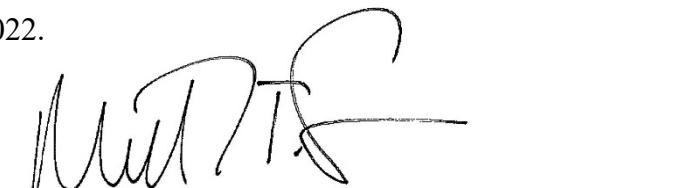
This case is before the Court on review of the file. Plaintiff has not filed proof of service of Defendants “DOES 1 through 10.” Pursuant to Federal Rule of Civil Procedure 4(m), if a defendant is not served within ninety days after the complaint is filed, the Court “must dismiss the action without prejudice against that defendant” or “order that service be made within a specified time.” Fed. R. Civ. P. 4(m). In cases removed to federal court, the ninety-day period under Rule 4(m) begins to run on the date of removal, not the date the plaintiff filed the petition in state court. *Taylor v. Clark Equip. Co.*, 4:22-cv-00201-SRC, 2022 WL 1640372, at *6 (E.D. Mo. May 24, 2022) (collecting cases). Defendant The Procter & Gamble Company removed this case more than ninety days ago. Since service to Defendants “DOES 1 through 10” has not been completed, the Court will order that service be made within a specified time.

Accordingly,

IT IS HEREBY ORDERED that, no later than **Thursday, December 08, 2022**, Plaintiff must serve all unserved Defendants and file proof of such service. The failure to file proof of service of the remaining Defendants by **Thursday, December 08, 2022**, will result in dismissal of

the action against those Defendants without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

Dated this 30th day of November, 2022.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE